IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 953 of 2006

In

Second Appeal No.716of 2003

Tanji Maruti Kale ... Applicant

V/s

Bhau Maruti Kale

since deceased through legal heirs

a. Smt.Majulabai Bhau Kale and Ors..Respondents

Shri D. Brijesh i/b Khandeparkar and Associates for nthe Applicant

Shri P.S.Dani for Respondents

CORAM:S.R.SATHE,J.

DATED:4th August 2006

P.C.:-

1. The learned Advocate for the Respondent Mr.Dani submits that during all these years when the matter is pending in the trial Court as well as in the first Appellate Court and thereafter the sugar-cane crop in the suit land is sown by the Respondent in C.A.No.953 of 2006. He also submits that payment in respect of the said sugar cane crop is also made by the sugar cane

factory to him. Earlier application filed by the applicant making similar request has been rejected. So, under such circumstances there is no need to pass any further order of preventing the Respondent from withdrawing the sugar cane crop money from the concerned sugar factory.

. C.A. disposed of.

(S.R.SATHE,J.)